

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

TERESSA J. WILLIAMS

PLAINTIFF

VS.

CAUSE NO: 4:21cv80-DMB-JMV

LIGHTHOUSE POINT, LLC
d/b/a TROP CASINO GREENVILLE

DEFENDANT

NOTICE OF REMOVAL

COMES NOW, the defendant, Lighthouse Point, LLC d/b/a Trop Casino Greenville, and respectfully files this Notice of Removal to the United States District Court for the Northern District of Mississippi, Greenville Division, as follows:

I.

This civil action was originally filed in the Circuit Court of Washington County, Mississippi on February 5, 2021, and proceeded in that Court under cause number 2021-0009. A copy of the Complaint is attached to this Notice as Exhibit “A.”

II.

Pursuant to 28 U.S.C. § 1446(b), Defendant files this Notice of Removal within thirty (30) days of service of the Complaint upon it. This case is removed less than one year after commencement of the State Court action, in compliance with 28 U.S.C. § 1446(c).

PARTIES

III.

Upon information and belief, Plaintiff, Teresa J. Williams, is an adult resident citizen of Greenville, Washington County, Mississippi. Exh. “A” at ¶ 1. Thus, for purposes of diversity

jurisdiction, Plaintiff is a citizen of the State of Mississippi.

IV.

Lighthouse Point, LLC is wholly owned by New Tropicana OpCo, Inc., a corporation incorporated in Delaware with a principal place of business in Nevada. For purposes of diversity jurisdiction, Lighthouse Point, LLC is a citizen of the state of the first member or member's member that is capable of establishing citizenship. In this case, that entity is New Tropicana OpCo, Inc., which is a citizen of the States of Nevada and Delaware. *See Harvey v. Gray Wolf Drilling Co.*, 542 F.3d 1077, 1080 (5th Cir. 2008).

DIVERSITY OF CITIZENSHIP

V.

This Court has subject matter jurisdiction over this controversy pursuant to 28 U.S.C. § 1332. The first prong of the jurisdictional statute is met as there is complete diversity of citizenship between Plaintiff, whose citizenship for diversity purposes is Mississippi, and defendant, whose citizenship for diversity purposes is a state other than Mississippi.

AMOUNT IN CONTROVERSY

VI.

The second prong of 28 U.S.C. § 1332 is also met as the amount in controversy plainly exceeds \$75,000, exclusive of interest and costs. In support, defendant would show that Plaintiff's Complaint alleges that she has "suffered, suffers and will continue to suffer pain and anguish from her injuries," "will likely incur future medical expenses" and "suffered lost wages" as a result of the fall in question. Exh. "A" at ¶ 7.

Given the nature and extent of the allegations made against the defendant, it is clear

Plaintiff's claims for unspecified damages exceed the \$75,000 jurisdictional limit of this Court.

CONCLUSION

VII.

This action is now removable pursuant to 28 U.S.C. §1441(a) and §1446(b), as amended, and written notice of the filing of this Notice of Removal and copies of all process, pleadings, and orders will be served upon Plaintiff's counsel as required by law. Furthermore, pursuant to the requirements of 28 U.S.C. § 1446(d), a Notice of Filing, attaching a copy of this Notice as an exhibit thereto, will be filed with the Circuit Clerk of Washington County, Mississippi.

WHEREFORE, PREMISES CONSIDERED, Defendant respectfully submits this Notice of Removal from the Circuit Court of Washington County, Mississippi, to the United States District Court for the Northern District of Mississippi, Greenville Division. Defendant further requests any additional relief to which it may be entitled.

DATED: June 15, 2021.

RESPECTFULLY SUBMITTED,

LIGHTHOUSE POINT, LLC
d/b/a TROP CASINO GREENVILLE

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CERTIFICATE OF SERVICE

I, GOODLOE T. LEWIS, attorney for LIGHTHOUSE POINT, LLC D/B/A TROP CASINO GREENVILLE, do hereby certify that I have on this date electronically filed the foregoing document with the Clerk of Court using the ECF system which sent notification of such filing to all counsel of record, including:

L. Douglas Wade
Wade Law Office, PLLC
P.O. Box 1557
Greenville, MS 38702
doug@wadelawofficepllc.com

DATED: June 15, 2021.

/s/ Goodloe T. Lewis
GOODLOE T. LEWIS